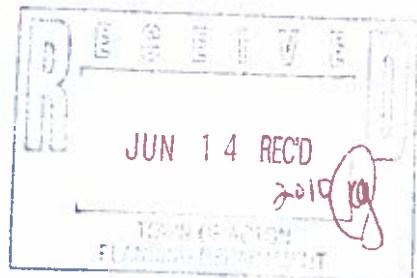


June 11, 2010

Acton Planning Board
472 Main Street
Acton, MA 01720



Re: Request for Extension of Special Permit

Dear Members of the Planning Board:

By Special Permit dated August 8, 2006, the Planning Board issued a Special Permit (the "Special Permit") for a Senior Residence Development under Section 9B of the Acton Zoning Bylaw (the "Bylaw"). By deed and related transfer documents dated December 6, 2006, Avalon at Laurel Hill, LLC. ("AvalonBay") acquired the property and the rights under the Special Permit from Recreational Realty Trust, LLC. On May 1, 2008 Avalon at Laurel Hill requested and on May 13, 2008, the Planning Board Granted an extension of the Special Permit through August 8, 2010.

Due to on-going weak market conditions, particularly in the age-restricted housing sector, it is not feasible for us to begin construction of the development at this time. We remain optimistic that market conditions will improve in the future so as to make proceeding with the development possible, but we cannot say with any degree of certainty when this will occur. Therefore, we respectfully request an additional two year extension of the date by which the Special Permit must be exercised under M.G.L. c. 40A, s. 9 and Section 10.3.7 of the Bylaw, from August 8, 2010, to August 8, 2012.

We would be happy to answer any questions that members of the Board may have with regard to this request at a regularly scheduled meeting of the Board.

Thank you very much for your consideration.

Sincerely,

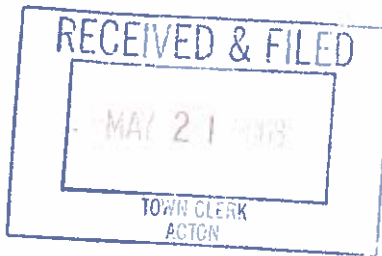
AVALON AT LAUREL HILL, LLC

By: _____

Scott Dale

Vice President, Development

cc: Roland Bartl, Town Planner
Steven Schwartz, Esq.



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9636
Fax (978) 264-9630
planning@acton-ma.gov

Planning Department

May 20, 2008

Avalon At Laurel Hill, LLC
c/o AvalonBay Communities, Inc.
Att: Mr. Scott Dale
Vice President, Development
51 Sleeper Street, Suite 750
Boston, MA 02210

RE: Woodlands at Laurel Hill, Lot 4
Laurel Hill Senior Residence Special Permit Decision 06-05 - Extension

Dear Scott:

The Planning Board has granted at their May 13th meeting to extend your request of the special permit for two (2) years to August 22, 2010.

Sincerely,

Roland Bartl, AICP
Town Planner

AVALON AT LAUREL HILL, LLC
c/o AvalonBay Communities, Inc.
51 Sleeper Street, Suite 750
Boston, Massachusetts 02210



May 1, 2008

Acton Planning Board
472 Main Street
Acton, MA 01720

Re: Request for Extension of Special Permit

Dear Members of the Planning Board:

By Special Permit dated August 8, 2006, the Planning Board issued a Special Permit (the "Special Permit") for a Senior Residence Development under Section 9B of the Acton Zoning Bylaw (the "Bylaw"). By deed and related transfer documents dated December 6, 2006, Avalon at Laurel Hill, LLC. ("AvalonBay") acquired the property and the rights under the Special Permit from Recreational Realty Trust, LLC. Since that time, we have been working on design and planning of the development as well as monitoring market conditions.

Due to current market conditions, particularly the current lack of sales in the age-restricted housing segment, it is not feasible for us to begin construction of the development at this time. We are hopeful that market conditions will change in the near future so as to make proceeding with the development possible, but we cannot say with any degree of certainty what the timing of the turnaround might be. Therefore, we respectfully request a two year extension of the date by which the Special Permit must be exercised under M.G.L. c. 40A, s. 9 and Section 10.3.7 of the Bylaw, from August 8, 2008, to August 8, 2010.

We would be happy to answer any questions that the Members of the Board may have with regard to this request at a regularly scheduled Planning Board meeting.

Thank you very much for your consideration.

Sincerely,

AVALON AT LAUREL HILL, LLC

By: 

Scott Dale
Vice President, Development

cc: Roland Bartl, Town Planner
Steven Schwartz, Esq.



Planning Board



TOWN OF ACTON
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DECISION

06-05

Laurel Hill

Senior Residence Special Permit
August 8, 2006

GRANTED with CONDITIONS

Decision of the Acton Planning Board (hereinafter the "Board") on the application of Woodlands at Laurel Hill, LLC (hereinafter the "Applicant") for property in Acton, Massachusetts, owned by: the Applicant as Recreational Realty Trust, LLC c/o Omni Properties LLC, 676 Elm St., Suite 3, Concord, MA 01742.

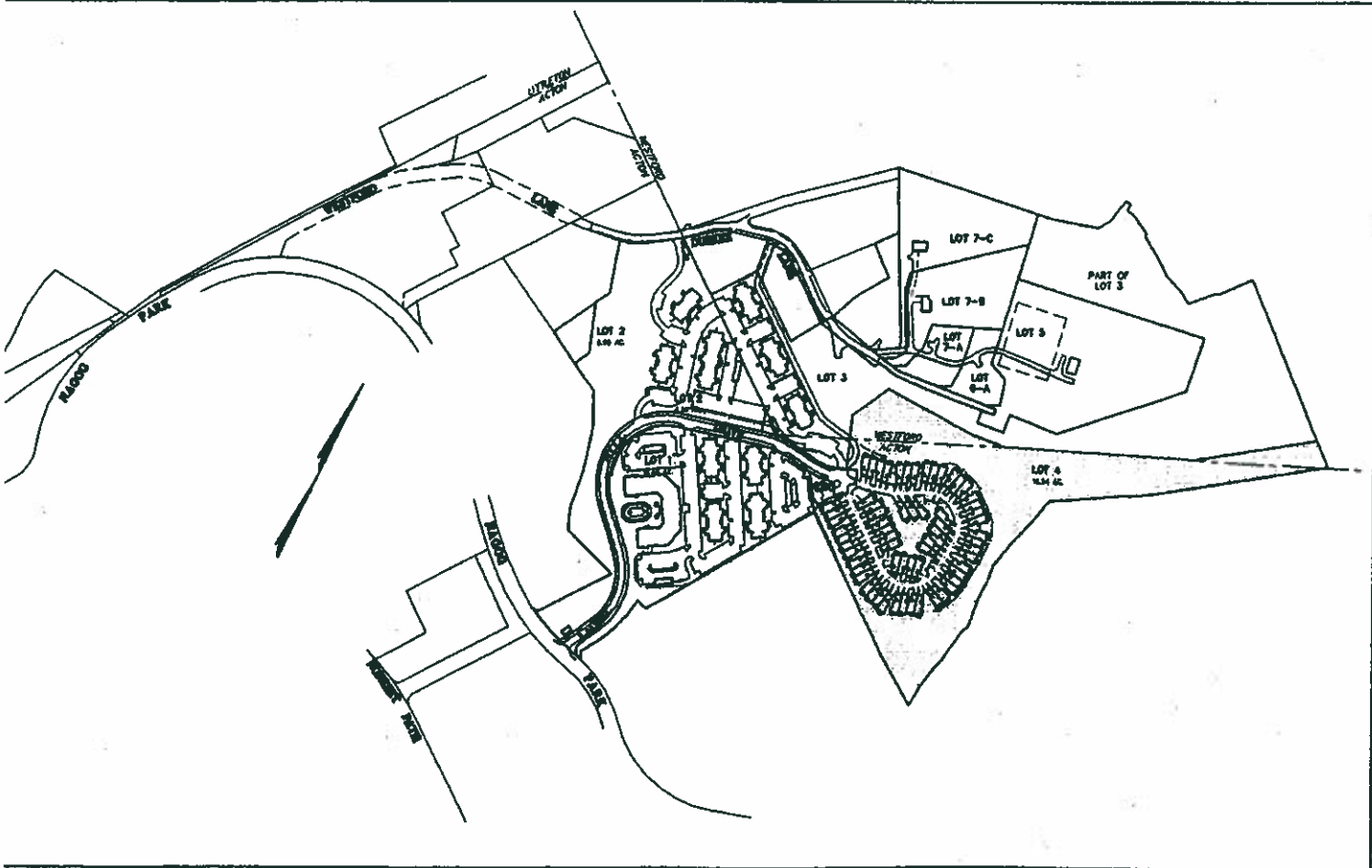
The property is located at and known as Lot 4 off Laurel Hill Drive, Off Nagog Park Drive, in Acton and Westford. Laurel Hill Drive was created and Lot 4 was laid out in association with the Comprehensive Permit recorded with the Middlesex South Registry of Deeds at Book 47074, Page 265 (the "Comprehensive Permit"). Lot 4 consists of portions of parcels shown on the Acton Town Atlas as the back portion of Acton Town Atlas parcel B-5/7 and the additional parcels, or portions thereof, in Acton (Town Atlas parcels B-5/9 and B-5/42) and Westford (Map 2 – Parcels 18 and 21) shown on plan sheet E-1 (hereinafter the "Site" or "Lot 4").

This special permit decision (hereinafter, the "Decision") is in response to an application for a Senior Residence special permit, received by the Acton Planning Department on or about June 9, 2006, pursuant to Section 9B of the Acton Zoning Bylaw (hereinafter the Bylaw) and the Rules and Regulations for Senior Residence special permits (hereinafter the Rules).

The Applicant presented the subject matter of the special permit to the Board at a duly noticed public hearing on July 11, 2006. Mr. David Hale and Attorney Louis Levine represented the Applicant. The hearing was continued to August 8, 2006, and then closed. Board members Gregory E. Niemyski (Chairman), William King (Clerk), members Edmund Starzec, Ruth Martin, Michael Densen, and associate Alan Mertz were present throughout the hearing. The Chairman designated Alan Mertz to sit on the Board to act on this application pursuant to section 10.3.9 of the Bylaw. The minutes of the hearing and submissions on which this decision is based upon may be referred to in the Planning Department or the Town Clerk's office at the Acton Town Hall.



ne Woodlands at Laurel Senior Residence Develop



PLAN
NOTE-

M-1
E-1

EC-1

SWP-

S-1 to
GD-1
PP-1
U-1 to
D-1 to

L-1 to
A-1 to